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May 14, 2013

**VIA FACSIMILE (212) 805-7986**

Judge Paul G. Gardephe  
Thurgood Marshall  
United States Courthouse  
40 Foley Square, Chambers 2204  
Courtroom 705  
New York, NY 10007

**Re: Lockheed Martin Corporation, et al. v. MTA, et al.  
Civil Action No.: 09 Civ. 04077 (PGG)**

Dear Judge Gardephe:

Our firm represents plaintiff Lockheed Martin Corporation ("Lockheed Martin") in the above referenced litigation. We are submitting this joint letter for two reasons. The first is to thank Your Honor for adopting the proposed schedule submitted by counsel for the parties. The second is to respectfully ask that the start of trial be April 28, 2014 instead of April 14, 2014.

Passover starts the evening of Monday, April 14, 2014 with the first seder and concludes the evening of Tuesday, April 22, 2014. The start of trial on April 14, 2014 affects a number of attorneys for all parties. Counsel for all parties have conferred and jointly request that trial start on Monday, April 28, 2014.

Thank you for considering our request.

Respectfully submitted,

*Michael Chartan*

Michael Chartan

MC:ag

cc: Ira J. Lipton, Esq. - via email  
Adam P. Friedman, Esq. - via email

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